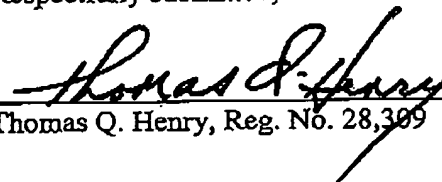7320-146.WAM.408172

REMARKS

In the Notice of Non-Complaint Amendment, dated April 10, 2006, the Examiner noted that claims 14-26 indicated as original by Applicants in the Response to Non-Final Office Action, dated February 7, 2006, are not the same as the original claims 14-26 filed August 24, 2001. In order to remedy this situation, Applicant respectfully requests the retroactive entry of a constructive election of Group I consisting of claims 1-13 and 36-37 as originally filed.

The Examiner issued a Restriction Requirement on November 12, 2004. In response, Applicant elected Group II. Due to a clerical error, the claims of Group II were replaced in the claim listing of Applicant's Response with the claims of Group I. Since that time, substantial prosecution has taken place on the claims of Group I. In order to preserve the examination efforts of the Examiner, Applicant respectfully requests that prosecution continue on the claims of Group I, and that the retroactive election be entered to facilitate this.

Once this retroactive election is entered, Applicant will enter a preliminary amendment in co-pending continuation Application # 11/028,165 filed on January 3, 2005, cancelling the claims of Group I and presenting the claims of Group II, in order to prevent duplicative examination.

In conclusion, reconsideration and allowance of this application is requested in view of the amendments and remarks made herein. Specifically, claims 1-13 and 36-37 are now in condition for allowance. If there are any outstanding issues, the Examiner is invited to contact the undersigned attorney by telephone for their resolution.

Respectfully submitted,

Thomas Q. Henry

Thomas Q. Henry, Reg. No. 28,309

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